



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,061	08/30/2001	Aalim Lakhani	CA920000056US1/2178P	8697

7590 06/03/2004  
SAWYER LAW GROUP  
P.O. Box 51418  
Palo Alto, CA 94303

EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/943,061

Applicant(s)

LAKHANI ET AL.

Examiner

Susan Y Chen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-25 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**Response to Amendment**

This office action is in response to the amendment filed on 03/19/2004.

Claims 1-25 are pending for examination, claims 1-2, 10-21 have been amended.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claims 1, 10, 15 and 17, Applicant fails to define the metes and bounds of the claimed "predefined collections of objects" in the instant specification, therefore, the claimed feature "the package includes a predefined collection of objects" is new matter.

As to claims 1 and 15, the claimed feature "a resolution module for resolving the at least one unresolved attribute of the one or more products... by accessing the

Art Unit: 2171

package data ..." is new, because the specification of the instant application did not disclose any accessing algorithm or function for the claimed resolution module to perform the claimed accessing operation.

As to claims 2-9 and 11-14, 16 and 18-25, these claims have the same defects as their base claims, hence are rejected for the same reason.

Because applicant fails to provide the supports of claimed new matters as cited above, the amended claims based on the new matters will not be further treated on the merits. Accordingly, the examiner maintains the same art rejections filed on 12/16/2003 as recited below. In order to continue the prosecution of the instant application, Applicant is requested to cancel all the new matters cited in the amendment filed on 03/19/2004.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the

United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Mikurak (U.S. Patent No. 6,606,744).

As to claim 1, Mikurak discloses an e-commerce system [e.g., Fig. 4] for enabling the purchase of a package of products and services [e.g., Fig(s). 54-55], comprising:

- a) a catalog database [e.g. see the modules 5300, 5324 of Fig. 53; Fig. 80; the Application Database of Fig. 121 ] comprising package data correlated to at least one package [e.g. see col. 178, lines 19-46].
- b) a selection module coupled to the catalog database for allowing a customer to select a package for purchase [e.g. see the shopping Cart processing at col. 96 et seq., Fig. 55].
- c) a resolution module coupled to the catalog database for resolving unresolved attributes in the selected package [e.g. see the shopping basket function module at col. 97, lines 9 – 21].

As to claim 2, Mikurak further discloses the catalog database comprising item data, product data and attribute data [e.g., see the Item catalog screen processing, col. 97, line 49 – 59].

As to claim 3, Mikurak further discloses the catalog database comprising image data correlated to at least one package [e.g., see the on-line display of purchase list, col. 28, lines 21-23; col. 97, lines 55-56].

As to claims 4-5, Mikurak further discloses the system connected to a global communication network – Internet [e.g., see the network (135), Fig. 1].

As to claims 6-9, Mikurak further discloses the system comprising catalog database, selection module, resolution module, ordering module, and payment module [e.g., see Fig. 4, Fig(s). 20-27].

As to claims 10-15, these claims recite similar features as claims 1-9 in form of e-commerce processing method, hence are rejected for the same reason.

As to claims 17-25, these claims recited similar features as claims 1-15 in form of computer readable product implemented in multimedia signal-baring medium, via modulated carrier signal transmission over a network/internet [e.g., see Abstract, lines 1-12]. Thus, they are rejected for the same reason.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 09/943,061

Page 7

Art Unit: 2171

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-6296.

Susan Chen  
May 20, 2004



**UYEN LE  
PRIMARY EXAMINER**